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**PATENT**  
Attorney Docket No. A-64580-5/RFT/NBC  
DW File No. 467135-38

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 110

*In re* application of:

ZARLING et al.

Serial No.: 09/990,433

Filing Date: November 20, 2001

For: *In Vivo Homologous Sequence  
Targeting in Cells*

Examiner: UNKNOWN

Art Unit: 1633

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

Dated:

Signed:

1-28-03  
Mariene Jost  
Mariene Jost

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FEB 05 2003

TECH CENTER 1600/2900

Commissioner for Patents  
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the reference cited on the accompanying substitute for form PTO-1449. A copy of reference A31 is enclosed herewith. Since copies of all other references were provided either by Applicants or the Examiner in the following related U.S. Applications – Serial Nos. 08/910,415, filed August 13, 1997; 09/927,160, filed August 9, 2001; or 09/079,877, filed May 15, 1998 – upon which the instant application relies for its priority date, in accordance with 37 C.F.R. § 1.98(d), no copies of these references are enclosed.

None of the foregoing references is believed to disclose the invention as claimed.

Nothing herein shall constitute an admission concerning the contents of any of the cited

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references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application.

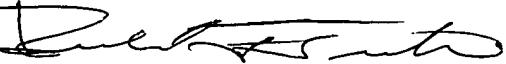
Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required. While no fee is currently believed to be due, if this belief is in error, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 467135-0038 (A-64580-5/RFT/NBC)).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: 1/28/03  
Customer Number: 32940  
Dorsey & Whitney LLP  
Intellectual Property Department  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989  
Facsimile: (415) 398-3249

BY:   
Richard F. Trecartin, Reg. No. 31,801  
Filed under 37 C.F.R. § 1.34(a)